

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: DEALER MANAGEMENT SYSTEMS)	MDL No. 2817
ANTITRUST LITIGATION)	
)	Master Case No. 18 C 864
This Document Relates to:)	
)	Judge Rebecca R. Pallmeyer
Class Action Briefing)	

ORDER

Briefing schedule on class certification is hereby amended. Motion for leave to file oversized brief [1418] is granted, as is Defendant CDK's request for an adjustment to the briefing schedule. Enter Order.

STATEMENT

A dispute about the briefing schedule on class certification has arisen. The proposed Dealer Class requested leave to file an oversized brief. In response, Defendant CDK Global asks leave to submit an oversized brief of its own—a consolidated response to the motions for class certification filed by the proposed Dealer Class and the proposed Vendor Class. CDK also seeks a 14-day extension in the briefing schedule. Counsel for both proposed classes have objected to certain of the relief requested, and the Dealers requested a telephone conference on this motion.

Plaintiffs report that the parties did not discuss these issues in advance of CDK's request; if this is true, the court shares Plaintiffs' disappointment. The court does not agree that the relief CDK has requested is excessive, however, and is confident that it will be able to sort out the arguments relevant to each proposed class in CDK's proposed consolidated brief. Plaintiffs have not otherwise identified prejudice that will result from CDK's proposed adjustment. And the court does not believe a telephone conference on this issue will result in greater clarity.

IT IS, THEREFORE, HEREBY ORDERED:

- Dealers' request for leave to file a 25-page brief [1418] is granted.
- CDK's opposition brief, no greater than 40 pages in length, shall be filed on or before January 19, 2024, together with expert report and opening *Daubert* briefs, if any.
- Plaintiffs' reply memoranda, expert reports, *Daubert* opposition briefs and opening *Daubert* briefs, if any, shall be filed on March 1, 2024.
- CDK's reply in support of any *Daubert* motions, and response to Plaintiffs' *Daubert* motions shall be filed on March 29, 2024.
- Plaintiffs' reply in support of any *Daubert* motions shall be filed on April 1, 2024.

Should this ruling generate a request for additional pages in the reply memoranda, counsel are free to make this request after receipt of CDK's consolidated response.

ENTER:

Dated: November 22, 2023

A handwritten signature in black ink, appearing to read "Rebecca R. Pallmeyer", written over a horizontal line.

REBECCA R. PALLMEYER
United States District Judge